

MEETING #25 July 14

At a Regular Meeting of the Madison County Board of Supervisors on July 14, 2009 at 3:00 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman
James L. Arrington, Vice-Chairman
William L. Crigler, Member
V. R. Shackelford, III, County Attorney
Lisa A. Robertson, County Administrator
Jacqueline S. Frye, Secretary

ABSENT: Bob Miller, Member
Clark Powers, Member

Chairman, Eddie Dean called the meeting to order and announced Mr. Powers and Mr. Miller will be absent, but that a Quorum was present.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Donald Gore, Resident Engineer, was present and provided the following report: improvements to Route 642 and under construction; in the process of getting the contract documents together for the Main Street Project of Madison and should have these forwarded to the district office in the next few days; plant mix schedule for Madison County should begin within the next 1-2 days – currently removing dead animal carcasses (from roadways), responding to customer complaints, pipe cleaning, brush cutting, grading non-hard surface roadways, treating some bleeding pavement (Route 680), removing debris from under three (3) bridges, and assisted with the recent Bike VA event by putting up message Boards along Main Street.

Donald Gore also stated a letter was submitted to the office of the Traffic Engineer regarding authorizing the 45 mph speed limit to be extended further west on Route 230 between Wolftown and Hood with no response having been received to date; also, on Route 616 from Route 621 to 2.21 miles south on Route 621, a speed study was conducted and the limit has been reduced to 45 mph; other land development issues in Madison County include the issuance of (19) permits during the month; also provided a report to Lisa Robertson, County Administrator, that denotes a further breakdown of work that has been implemented in Madison County (which also includes Culpeper and

Orange) which is represented with Code 56, and asked to be contacted if there are any questions pertaining to the report.

IN RE: PAYROLL & CLAIMS

Certificate of Claims (Capital Fund for June 2009):

Chairman, Eddie Dean stated the Board will need to approve Certificate of Claims for the Capital Fund for June 2009, totaling \$595,336.39 – these expenses are all for the Courthouse Project.

After discussion, on motion of William L. Crigler, seconded by James L. Arrington, the aforementioned Certificate of Claims for June 2009 (totaling \$595,336.39 for checks #10130998, 0999, 1089, 1170, 1330), are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Absent

James L. Arrington questioned how much has been spent on the Courthouse Project contract to date, to which Chairman, Eddie Dean advised the report indicates \$2,089, 148.79 (not quite half of the anticipated \$7,000,000.00 contract.

On motion of James L. Arrington, seconded by William L. Crigler, the warrants issued in satisfaction of claims against the County for June 2009 (Checks #10131000 – 1088; 1090-11691 1171-1329) totaling \$1,671,032.27, are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Absent

Chairman, Eddie Dean advised the Board will need to approve

Supplements for June 2009 (Post Year):

Chairman, Eddie Dean stated the supplements for June 2009 Post Year were for expenditures that were presented for payment after the June 30, 2009 deadline, and are as follows:

1. Park & Recreation	#71100-5690	Youth Sports Deposits	\$ 8,103.25
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Revenue Approp.	10-161201	Recreation	
2. Park & Recreation	#71100-5691	Health Fitness Deposits	\$ 388.00
Revenue Approp.	10-161201	Recreation	
3. EOC	#31401-5897	Misc. Grant (911 Grant)	\$27,591.04
Revenue Approp.	10-240107	Other Programs & Grants	
4. Water Quality Mgmt. Pro.	#82200-5890	Grant Expenditures	\$ 6,931.93
Revenue Approp.	10-499999	Accumulated Fund Balance	
5. Madison Rescue Squad	#33300-591	Four-For-Life (Additional Monies)	\$ 245.92
Revenue Approp.	10-240202	EMS Fund – 4-for-life	
Total General Fund:			\$43,260.14

County Administrator's Recommendations (other units)

1. School Fund	#23-64000-900	Operations & Maintenance	\$12,430.00
Revenue Approp.	23-150205	Rent of Buildings	
Total Supplements June Post Year 2009:			\$55,690.14

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the supplemental appropriations for June Post Year 2009 in the amount of \$55,690.12, are approved as presented, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Absent

Supplements for July 2010:

1. Extension & Cont'd Ed.	#83500-1566 & 2100	PT Grant Pos. (unused FY2009)	\$ 829.00
Revenue Approp.	10-49999	Accumulated Fund Balance	
2. Sheriff - Court Security	#21800-1725	PT Courtroom Security	\$29,000.00
Revenue Approp.	10-499999	Accumulated Fund Balance	
Fines & Forfeitures Collected Last Quarter 09 allowed by State Code to be requested by Sheriff			
3. Sheriff – Court Security	#21800-2100	FICA	\$ 1,768.00
Revenue Approp.	10-49999	Accumulated Fund Balance	
Fines & Forfeitures Collected Last Quarter 09 allowed by State Code to be requested by Sheriff			
4. Sheriff – Court Security	#21800-6010	Police Supplies	\$ 3,000.00
Revenue Approp.	10-4999	Accumulated Fund Balance	
Fines & Forfeitures Collected Last Quarter 09 allowed by State Code to be requested by Sheriff			
5. Sheriff – Court Security	#21800-6011	Uniforms	\$ 3,000.00
Revenue Approp.	10-49999	Accumulated Fund Balance	

Fines & Forfeitures Collected Last Quarter 09 allowed by State Code to be requested by Sheriff _____

TOTAL: \$37,597.00

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the aforementioned supplements for July 2010, totaling \$37,597.00, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Absent

James L. Arrington questioned whether the County's cash flow has improved following the implementation of personal property tax collection on a biennial schedule, to which Teresa Miller, Finance Director, stated there has been an improvement; however, final figures will not be in place until October, at which time funding from the State will be received.

Teresa Miller, Finance Director, also made reference to the report provided by Stephanie Murray, Treasurer, and advised the first seven (7) items listed on the report represent the County's revenue – anything below denotes other categories (school collection funds, etc) aren't funds that are included in the County's General Fund (currently \$4,000,000. in additional funds as opposed to last year).

IN RE: MADISON SCHOOLS

Dr. Brenda Tanner, Superintendent, was present and stated school is out for the summer; first session of summer school has taken place (middle & high school program; also have a summer reading program in place during the entire summer for primary and elementary students (explained the process); have also had teachers reading to students @ the local library and the summer program will commence a bit later in the summer for primary and elementary school students who are at risk; also stated some students are participating in a program @ Germanna Community College and a group of students also visited the Courthouse Project site and were given the opportunity to ask questions about the project; also had a group of students attending the Summer Quest Program in Culpeper, VA and will be allowed to participate in a regional program.

Allan McLearan was present to provide an update on the performance

contract pertaining to the “back of the envelope audit: and stated a meeting was held last Thursday with four (4) companies listed on the pre-approved state energy list – three (3) showed interest (Ameresco; Con-Edison; US Energy Management) and each company were interested in doing the “back of the envelope” proposal – one company has already established a date to perform an audit of school buildings and also to set up a time with Ross Shifflett, Director of Facilities, to determine when he can look at some of the County buildings that were also included in the list – from that investigation, the representative will come up with a proposal (hopefully from all three companies) – each company representative will be dealt with separately as each will more than likely review the buildings and proposed improvements from a different angle.

James L. Arrington asked about the performance contract and what all will be involved, to which Allan McLearan stated the representative will look at the electrical bill (for past several years) and will provide an opinion as to whether a contract can be implemented that will show a significant costs savings that will be associated with proposed upgrades.

James L. Arrington asked if the company (ies) will perform the proposed work and guarantee results, to which Dr. Brenda Tanner stated the School System is only having the ‘back of the envelope audit’ initiated and there has been no further discussion of any review information at this time; however, should the School System decide to move forward, a contract will be in place and the plan will include having the subcontractors work and provide a cost-estimate as to what savings can be expected over a period of time (i.e. years).

James L. Arrington asked how many County buildings will be included, to which Ross Shifflett advised there were five (5).

Dr. Brenda Tanner stated that all schools and the administration building will be included in the review.

IN RE: COUNTY FACILITIES

Ross Shifflett, Director of Facilities, was present and provided a written report; also advised personnel will be assisting with the County Fair during the week; also stated that an audit meeting was held and it was reported the County will be switching from Allegheny Power to Rappahannock Electric in the near future and he

wanted to advise individuals there will be a cost in electrical services as a result of the merger.

IN RE: E911 CENTER

Robert Finks, E911 Coordinator, was present and provided a written report for his department's activities for June 2009; stated that all stats fall in line with past months; currently has one (1) vacancy for which applications are being reviewed after a successful candidate response – selection will be forthcoming shortly.

IN RE: EMERGENCY PREPAREDNESS

Carl Pumphrey, Emergency Services Coordinator, was present and provided a written report for June 2009; also stated the Local Capability Assessment for Readiness Project (LCAR) was submitted to the Virginia Department of Emergency Management – Madison County has been characterized as a locality that was graded as being 'highly capable' of handling an emergency situation.

William L. Crigler asked if the aforementioned determination was based on the size of a locality, to which Carl Pumphrey advised the determination is based on the capabilities denoted in several categories (i.e. finance, fire service, law enforcement, etc.).

IN RE: SOCIAL SERVICES

Nan Coppedge, Director of Social Services, was present and stated that Route 642 looks great and will be a 'mega highway' once all improvements are completed; also stated there is a steadily increase in food stamp applications (currently 31 during the month of June 2009) and currently serves 437 households in Madison County; the cooling assistance program has been a big hit during the summer (enrollees must have an unpaid electric bill in order to apply) and the benefit will pay up to \$475.00 on a home electric bill.

Nan Coppedge stated that she attended a Board meeting last week and it was verbalized that the Department of Social Services will need to comply with the 15% reduction as other agencies are enduring; also stated many localities have tried to look out for the general relief program – this program benefits individuals with a disability that lasts thirty (30) days or more (\$131.00 benefit per month); also stated the childcare committee will receive \$38,000,000. in stimulus funds to be utilized during 18 months

with \$14,000,000.00 having been put aside for the childcare system this committee is also serving as a “pilot” for the Northern Virginia region – end of year report should be presented during the August meeting.

IN RE: EMS CAREER

Lewis Jenkins, Director, was present and provided the following report for June 2009:

Total calls toned: 94

Total calls handled: 89

Total calls, no response: 5 [(4) Greene and (1) Orange calls for mutual aid assistance were not answered)]

Avg. in-County response time to the scene: 9 minutes

Night coverage: (11) hours of night coverage on (17) nights

Total calls handled: 17

Lewis Jenkins also reported the department still has an open full-time position – applications being received locally and out of town – process to screen an interview will be initiated on August 4th – the Board is invited to attend; also stated that Jason Inofuentes and Noah Hillstrom completed their paramedic class.

William L. Crigler asked all went well during the recent events that took place in Madison County, to which Lewis Jenkins advised the Bike VA event was without incident (medical); currently have emergency staff at the fairgrounds for this week’s event.

IN RE: MADISON VOLUNTEER RESCUE SQUAD

William L. Crigler read the following report provided by the Madison Volunteer Rescue Squad for the month of June 2009:

Medical emergencies:

- 28 Transports
- 2 No treatment required
- 1 Refusals
- 2 treated, transferred care
- 1 went POV

MVC:

- 2 Transport
- 1 refusal
- 1 cancelled

Injury not listed (falls):

- 2 Transports
- 1 Refusal

Public Service (Falls):

- 2 No treatment required

Standby:

- 1 No treatment required

Total calls for the month of June 2009: 48

IN RE: LAW ENFORCEMENT & COURT SECURITY

Erik Weaver, Sheriff, provided the following report for June 2009:

1. Calls for service: 1,071
2. Criminal arrests: 50
3. Civil process: 344
4. Days of Court: 12
5. Traffic related summons: 240
6. Court security fees to Treasurer: \$625.46
7. Local fines paid to Treasurer: \$11,562.40

Erik Weaver, Sheriff, also provided a report of hours worked by part-time deputies for June 2009, in accordance with Virginia Code 15.2-1609.9.

IN RE: PROPOSED PURCHASE OF MOTOR VEHICLES FOR SHERIFF'S DEPARTMENT (Discussion/Action)

Chairman, Eddie Dean stated the Board has been given a proposal request to lease nine (9) law enforcement vehicles for the Sheriff's Department.

Erik Weaver, Sheriff, stated the department currently has several cars with over 100,000 miles on the odometer and need to be traded out; he stated that Randy Jenkins, Deputy, acquired information for vehicle trade allowances and lease pricing – also acquired information on a Ford lease that designates a payment plan that will total about \$233,094.62 to be paid in three (3) payments of \$81,443.26 each.

William L. Crigler asked is law enforcement vehicles are stripped of lights when they're sold and whether these lights are installed on the new vehicles, to which Erik Weaver, Sheriff, advised that most of the lights that are now being used are six (6) to eight (8) years old and many of the current vehicles have lighting that doesn't work – the department is still utilizing old radios.

William L. Crigler also asked how many (if any) cars will be needed during the following year, to which Erik Weaver, Sheriff, stated the department will need about four (4) – he also stated it has been noted that additional cars can be added to the current leasing program.

James L. Arrington asked about volume pricing and how this is an asset when utilizing the leasing program – also noted the vehicles are being purchased at a very attractive price, to which Randy Jenkins, Deputy stated the existing vehicles are being purchased below state bid pricing.

Erik Weaver, Sheriff, also stated the vehicles are “turnkey” vehicles (already fully equipped with lights, radios, etc.).

V. R. Shackelford, III, County Attorney, asked about the County's procurement policy, to which Lisa Robertson, County Administrator, advised the document contained in the Board packet has been aligned with York County's cooperative procurement contract as allowed by Virginia Code.

Erik Weaver, Sheriff, stated that York County's contract is cheaper than the existing state bid.

Chairman, Eddie Dean stated he feels the Board needs to move forward on law enforcement vehicles.

Lisa Robertson, County Administrator, advised of amendments that will be incorporated in today's document (i.e. omit state contract procurement with cooperative

procurement under the York County contract) which also included a change in the supplemental appropriation which will also be incorporated into the Resolution.

V. R. Shackelford, III, County Attorney, commented on the fact that the County generally tries to do business with local businesses and asked whether Eddins Ford, Inc. (located in Madison County, Virginia) was asked about providing vehicles to the Sheriff's Department.

Erik Weaver, Sheriff, stated discussions were held with representatives from Eddins Ford, Inc. and it was advised the dealership couldn't compete with the pricing that was being offered by the alternative source.

In closing, Erik Weaver, Sheriff, advised the department is looking to purchase nine (9) vehicles and will be depleting the existing fleet by nine (9) vehicles; he also feels the pricing that is being offered is very fair and competitive.

RESOLUTION

AUTHORIZING PROCUREMENT OF LAW ENFORCEMENT VEHICLES AND APPROVING A SUPPLEMENTAL APPROPRIATION TO THE FY2010 BUDGET FOR PURCHASE OF LAW ENFORCEMENT VEHICLES

WHEREAS, the Sheriff has submitted to the Board of Supervisors pricing information, dated July 5, 2009, for the proposed lease-purchase of nine (9) County law enforcement vehicles from Crossroads Ford, under a cooperative procurement arrangement with York County, or if cooperative procurement is not available, then from any authorized state contract vendor, to be financed under Ford Motor Credit Company's Municipal Finance Program;

WHEREAS, the total amount of the proposed purchase to be financed is \$233,094.62, and funding is available for this transaction;

NOW, THEREFORE, the Board of Supervisors does hereby authorize the County Administrator and Finance Director to enter into this procurement transaction and to sign all paperwork and complete all necessary documentation for the lease-purchase of nine (9) County law enforcement vehicles from Crossroads Ford, for the amount of \$233,094.62, financed over a three year period; and

BE IT FURTHER RESOLVED that the Board of Supervisors does hereby amend the County budget for FY2010 with the following supplemental appropriations for a cooperative procurement with York County: \$233,094.62 to be appropriated to the Sheriff's budget, \$233,094.62 to be appropriated to revenues (proceeds from a capital lease), or appropriations to the same categories in a not-to-exceed amount of \$240,000 in the event of a state contract purchase and \$81,443.26, or the amount of the first lease payment under a state contract purchase, to be appropriated to budgeted expenditures (capital debt service) to cover the first payment due under the lease.

Adopted this 14th day of July, 2009, on motion of James L. Arrington, seconded by William L. Crigler.

 Eddie Dean, Chairman

	Aye	Nay	Abstain	Absent
Eddie Dean	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
James L. Arrington	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
William L. Crigler	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Bob Miller	<u> </u>	<u> </u>	<u> </u>	<u> x </u>
Clark Powers	<u> </u>	<u> </u>	<u> </u>	<u> x </u>

Attest: _____
 Lisa Robertson, County Administrator/Clerk to the Board

IN RE: ZONING FEES & BUILDING PERMITS

Chairman, Eddie Dean stated a copy of the monthly reports are provided for the Zoning Department.

Lisa Robertson, County Administrator, stated the aforementioned reports are a summary of YTD statistics; it appears activity has relatively remained the same since May 2009 – site plan and subdivision plats (Zoning) have generated fluctuating revenue thus far and appears to have increased slightly during the month of June 2009.

Lisa Robertson, County Administrator, stated activity in the Building Department has been relatively slow (i.e. residential construction) compared to 2008 figures that were provided) – slightly ahead at the present time in the area of inspections being done by the department compared to figures in 2008; also stated the office has been assisting with zoning inspections (as needed); overall, permits issued to date a slightly above 2008 stats – total number of permits issued at the present time are slightly above the figures noted for June 2008 (i.e. remodeling, additions).

IN RE: MADISON TREASURER

Stephanie Murray, Treasurer, was present and stated that her department has been working on getting the tax lien letters out to citizens who haven't paid their personal property taxes; also, on July 3, 2009, a mailing was implemented to citizens who are more than two (2) years delinquent in their real estate tax payments – these citizens have a deadline of August 3, 2009 to pay the delinquent fees at least through the 2006 tax year

or these records will be released to the County Attorney to initiate legal proceedings to sell these parcels.

IN RE: COMMISSIONER OF (THE) REVENUE (Property Classification Changes)

Gale Harris, Commissioner, was present and advised the Board there have been inquiries as to whether motor coaches will be categorized as personal property or farm/machinery; she stated the tax cannot exceed the property rates but can be established as a different rate. In closing, she advised there are only a few of these vehicles in Madison County, but the owners have advised they will be contacting the Board to verbalize their concerns.

Chairman, Eddie Dean asked how the County is currently taxing these vehicles, to which Gale Harris, Commissioner, stated the County was taxing these vehicles as personal property, but a few years ago, they were taxed as machinery/tools; however, there has been recent concerns whether these vehicles should be returned to being taxed at the personal property rate (as per Code 3506, Paragraph 25 Motor Vehicles (Semi-trailers – weight over 10,000 lbs.) no higher than machinery/tools.

In closing, Gale Harris, Commissioner, advised that some localities tax motor coaches at the machinery/tools rate because they are over 10,000 pounds, and others feel that although the vehicles are over 10,000 pounds, they do not look at transporting people as being “property” although there is luggage involved; therefore, it is felt this point has been brought to the General Assembly to implement guidelines for motor coaches which will be effective January 2009.

Chairman, Eddie Dean suggested that Gale Harris, Commissioner, and V. R. Shackelford, III, County Attorney, meet and provide recommendations to the Board for discussion at the July 2009 workshop session scheduled for Thursday, July 31, 2009 @ 2:00 p.m. in order for action to be effective in August 2009.

James L. Arrington asked how the surrounding localities are handling this issue, to which Gale Harris, Commissioner, stated the following:

Lynchburg:	Machinery & Tools
Bedford:	Machinery & Tools
Rockingham:	Personal Property
Fauquier:	Personal Property

Gale Harris, Commissioner, advised that RDA Systems has established a separate class in the computer system for motor coaches (M&T Truck) which denotes the actual item; she also provided an overview of how Fauquier County is taxing these types of vehicles – the County of Madison only has (2) motor coaches in the County; therefore, she has thought about taxing this property at the rate of \$2.95 unless the Board decides to do otherwise.

Gale Harris stated that she will be attending a meeting on Thursday and this topic will be discussed and an update will be provided at a later time.

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment.

Bonnie Dixon of Criglersville was present and read a letter (included in the minutes) that she presented to the Board regarding Thunder Ridge Kennels, which is located just across from her residents along the Robinson River and is owned by Christopher Martino; she stated the and her husband have endured a dilemma for the past decade with regard to dogs (Chesapeake Bay Retrievers) that are bred, trained and sold by Christopher Martino; also questioned property rights, taxes, and her rights as a citizen of Madison County to see that County guidelines be adopted which would prevent the type of problems she is incurring, and thus, prevent future property owners from having to deal with the same issues. In closing, she feels that elected officials (who are paid with citizens' tax dollars) should afford citizens the right to expect to have their interests represented, valued and protected. In closing, she expressed concerns about the following:

- 1) The Zoning Ordinance for Madison County and it's guidelines with regard to kennel operations within the County;
- 2) The effects of these dogs depositing fecal matter into the river waters and the results;
- 3) Whether Mr. Martino has a special use permit to operate a kennel in the residential area, and if he has, does it denote that he has about twenty (20) dogs in the kennel;
- 4) Feels the County should draft a kennel regulation to be enforced for any future operations of this kind;

And also stated that visitors to her home have been terrified by Mr. Martino's dogs as they've crossed the river and have become aggressive toward visitors at her home and also provided photos of the dogs running free from the kennel area and into the waters of the river; she also provided website communications in which a buyer spoke of purchasing dogs from Mr. Martino.

In closing, Ms. Dixon offered her time to research information pertaining to kennel operations; she thanked the Board members for their time and for taking on the difficult job of running Madison County.

William L. Crigler verbalized concerns as to what guidelines are in place for kennel operations as designated by the Department of Conservation & Recreation.

James L. Arrington stated he believes this is the second to third time that Ms. Dixon has come forward with this situation regarding Thunder Ridge Kennels; he suggested the Board ask the Zoning Department to investigate what requirements are in place for such an operation.

Lisa Robertson, County Administrator, stated an investigation was implemented the last time Ms. Dixon brought these concerns before the Board; it was determined the definition of a kennel and the reference to litters doesn't compare to the operation that Christopher Martino has in place.

William L. Crigler stated that some of these dogs have been biting individuals and how the vicious dog guidelines falls into place.

V. R. Shackelford, III, County Attorney, stated he believes when these concerns were brought forward, there was no sufficient evidence that dogs were being sold at Thunder Ridge Kennel; he also stated there was just a recent case in which the there was information obtained from a website brought in as evidence, to which the Judge advised was inadmissible in a court of law; he also stated the only way to prove that dogs are being sold is to have a buyer be willing to come forth to admit to the purchase and from where the purchase was made.

In closing, V. R. Shackelford, III, County Attorney, stated he will meet with Betty Grayson, Zoning Administrator, to discuss this issue, but advised this is a "proof issue" and based on the information that was furnished, the County is unable to

establish that puppies were for sale at the site, even though the County had a strong suspicion this was taking place.

James L. Arrington commented that if the Zoning Ordinance doesn't contain the appropriate language, then would the Animal Control Ordinance be sufficient, to which V. R. Shackelford, III, County Attorney, stated if the kennel is operating as a commercial site, it should have a special use permit.

V. R. Shackelford, III, County Attorney, stated the County will have to establish exactly what is taking place at the site in order to prosecute the owner for any zoning violations (i.e. emails and website information aren't legal in the courtroom).

Chairman, Eddie Dean informed Ms. Dixon that an answer cannot be attained today; however, the Board will continue to discuss this issue with the Madison County Planning Commission and the Zoning Administrator; the Board is sympathetic to the citizen's concerns it is well understood.

V. R. Shackelford, III, County Attorney, stated the language contained in the County's Ordinance could focus on requesting that a dog kennel license should be purchased (as in the past) and not focus so much on a commercial kennel operation – he also noted that a private kennel could cause just as much confusion as there is no direction as to the total number of dogs that can be housed at the kennel site.

In closing, Chairman, Eddie Dean asked Ms. Dixon to please feel free to bring any documentation she attains regarding this issue onto V. R. Shackelford, III, County Attorney.

Jacki Eisenberg was present and stated she attended the Zoning/Planning Conference on legislative updates; the main topic that was discussed and is relevant to Madison County that was discussed is the fact that since the State has relinquished localities of the right to control guidelines associated with the alternative septic systems – the County will need to have representatives from VACo and the PEC involved to ensure that regulations contain input as to how unsafe these types of systems are for part-time usage. Additionally, the County's Ordinance have no effect on the usage of these systems – it has been determined these systems are not good for part-time usage, as they will back up when not used on a steady basis.

Bill Campbell was present and commented on the \$4,000,000 that has been collected in revenue and believes this to be sufficient to carry the County through December.

Teresa Miller, Finance Director, explained the County budgetary guidelines (i.e. balancing of the budget with the general fund) and also the manner in which revenue is utilized for obligations; also, revenue isn't received from the State until sometime in October, and it is uncertain as to what amount of funding will be received until that time; therefore, the collected funds will be utilized to cover expenses until October.

V. R. Shackelford, III, County Attorney, also stated the \$4,000,000.00 in question isn't "extra money" but is "money that was received earlier" than usual because of the change in payment of personal property taxes (i.e. June & December).

IN RE: RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD/AREA AGENCY ON AGING (Proposed Program Plan for FY2010)

Chairman, Eddie Dean stated the Board has received a Resolution from the RRCSB/AAA on their Proposed Program Plan for FY2010.

Brian Duncan, Executive Director, was present along with Bill Tidball, Kim Beach and Ken McGhee, who are the citizen representatives for Madison County.

Brian Duncan, Executive Director, provided a brief overview of services provided to Madison County citizens; he also stated the Agency has a new site in Rappahannock County (the Old Scrabble School) which will now serve as the Senior Center for that area, and a similar goal is being sought in Madison County with the American Legion Hall (site in Madison County isn't large enough); additionally, he provided an overview of services provided by the RRCSB/AAA to citizens of Madison County (i.e. senior center) and outreach intervention programs.

William L. Crigler questioned the Medicare reimbursement and problems that have occurred as a result of federal regulations.

Brian Duncan stated there have been changes in the regulations which are very difficult and are of an administrative nature – changes generally don't result in the consumer getting additional funds reimbursements, but usually less in most cases.

Concerns were also verbalized as to whether the sewer system and water at the American Legion Hall would be sufficient in conjunction with operating a senior center, to which Brian Duncan advised the water will be tested; however, this will be a meeting place only and no food preparation will take place.

Chairman, Eddie Dean thanked Bill Tidball, Kim Beach and Ken McGhee for serving on the RRCSB and supporting the citizens of Madison County, Virginia.

RESOLUTION

A RESOLUTION TO RECEIVE THE RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD AND AREA AGENCY ON AGING (RRCSB- AAA) FY 2010 PERFORMANCE CONTRACT WITH THE DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES AND THE AREA PLAN FOR AGING SERVICES.

WHEREAS, in June 2009, the RRCSB-AAA adopted its Performance Contract with the Department of Mental Health, Mental Retardation and Substance Abuse Services, and its Area Plan for Aging Services with the Department of Aging; and

WHEREAS, the Madison County Board of Supervisors has received a request from the RRCSB-AAA that it endorse the Contract and Plan by either approving both documents or acknowledging that the Board of Supervisors participated in the review process and has no further additional comments; now, therefore, be it

RESOLVED, by the Madison County Board of Supervisors this 14th day of July, 2009 that the Madison Board of Supervisors does hereby receive the FY 2010 RRCSB-AAA with the Department of Mental Health, Mental Retardation and Substance Abuse Services and the 2010 Area Plan for Aging Services, and acknowledges that the Madison County Board of Supervisors participated in the review process and has no additional comments regarding the Contract or Plan.

Adopted this 14th day of July, 2009, on motion of William L. Crigler, seconded by James L. Arrington.

Eddie Dean, Chairman,
Madison County Board of Supervisors

	Aye	Nay	Abstain	Absent
Eddie Dean	<u> x </u>	_____	_____	_____
James L. Arrington	<u> x </u>	_____	_____	_____
William L. Crigler	<u> x </u>	_____	_____	_____
Bob Miller	_____	_____	_____	<u> x </u>

Clark Powers

_____ x

Attest:

Lisa Robertson, County Administrator/Clerk to the
Madison County Board of Supervisors

OLD BUSINESS/NEW BUSINESS
Social Services Building (Improvements):

Chairman, Eddie Dean stated the Board will need to discuss the construction needs at the Department of Social Services building

Lisa Robertson, County Administrator, advised it has been some time since the Department of Social Services building has needed a handicap accessible ramp; plywood has been utilized for about two (2) years – it was anticipated this work could be incorporated in with the Main Street Project contract; however, this wasn't feasible; therefore, if the Board would like to move forward with this work as a 'stand alone' project or combine it with additional work that will be implemented. In closing, she advised there has been much patience demonstrated, but the nature of the clientele that visit the building, the current conditions are not very safe.

William L. Crigler stated there is a ramp in place; however, Lisa Robertson, County Administrator, advised it is in need of repair.

Chairman, Eddie Dean advised the area is deteriorating and concrete needs to be torn apart and re-poured; he suggested pricing be attained.

Lisa Robertson, County Administrator, stated that she could discuss the issue with Wes Smith, Building Official (on Board approval) and assess current regulations/requirements and put together a basic description of work and attain quotes to implement the work – there is no monetary commitment to follow this route and she feels this option would be feasible in order for the Board to make a decision as to what process to undertake.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board authorized Lisa Robertson, County Administrator, to proceed with attaining necessary information in order to attain bids on the aforementioned work as

discussed and present findings to the Board for discussion, which may include phasing the work, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Absent

Request from Young Farmer's (waiver of building fees):

Chairman, Eddie Dean stated the Board has received a request from the Madison County Young Farmer's to waive all building permit fees associated with the erection of a new light pole.

Lisa Robertson, County Administrator, advised the Madison County Young Farmer's were having some lighting work done at the grounds and needed to install a new pole to add lighting; however, the organization worked through the details with Wes Smith, Building Official, and were informed to present a request to the Madison County Board of Supervisors in order to approve waiver of building fees totaling \$76.50 – in the event the waiver isn't approved, the organization has advised they will pay the total amount.

Lisa Robertson, County Administrator, advised the Board has waived building fees for various other County organizations (i.e. Madison County Library) and other organizations that receive partial funding from the County – it is deemed if local monies are being provided to certain organizations, charging for fees is rather counterproductive.

After discussion, on motion of William L. Crigler, seconded by James L. Arrington, the Board approved the waiver of building fees totaling \$76.50 associated with the erection of a new pole and lighting at the Madison County Young Farmer's Grounds, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Absent

County Expenditure Report:

Lisa Robertson, County Administrator, presented expenditures for Madison County for the Board members to review as requested; these reports provide an up-to-date account of expenses compared to last years reports. Additionally, all information is categorized for mandated services – additional numbers for the school system will be forthcoming; information is also provided for public service and mandated services accordingly which includes the Constitutional Offices.

In closing, she stated the departments appear to have done very well to date; general overall spending is down from the prior fiscal year, although today's report shows a slight dollar amount increase in some categories; it is also noted when comparing the last fiscal years, the category expenditure figures have remained fairly constantly in terms of overall percentage of the total budget – it appears that when one category is increasing, another is decreasing. The bulk of the capital expenditure funding for 2008 & 2009 has been primarily utilized for the Courthouse Project. Additionally, she advised all departments did a good job of managing spending during the fiscal year; also advised it isn't possible to provide category totals for the Department of Social Services and the Madison County School System because those figures have not come in; however, prior fiscal year figures reflect similar levels of spending percentages.

James L. Arrington verbalized concerns over the Animal Control department, to which Lisa Robertson, County Administrator advised she didn't perform separate analysis on the Animal Control and Animal Shelter due to these entities being denoted as two (2) separate line items in the County's budget; however this year with the consolidation of management, a budget category has been created which includes both entities within the same category; therefore, both entities have combined expenditures of \$259,771.00 – in prior years, figures for these entities had to be added together to determine figures (\$280,492.00 in 2008; \$265,021.00 in 2007).

IN RE: MINUTES

Chairman, Eddie Dean advised that Minutes #21, #22, #23, and #24 will need to be approved.

After discussion, on motion of James L. Arrington, seconded by William L.

Crigler, Minutes #21, #22, #23 and #24 are approved as submitted and spread in Minute Book #16, page , through page , with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Absent

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment and there was none.

Chairman, Eddie Dean stated the Board will not provide Committee reports today as there will be no evening session – this information will be reported at the next Regular Board Meeting.

IN RE: OTHER MATTERS (NOT LISTED)

William L. Crigler informed the Board that Lawrence Beasley has asked if he and his brother could perform maintenance work for the County (i.e. painting windowsills, clean sidewalks, etc.) and he was unsure of the County's procedures regarding individuals assisting with this type of work.

Lisa Robertson, County Administrator, stated that Ross Shifflett, Director of Facilities, hires workers under a procedure that addresses "rolling applications" and anyone can complete an application – at such time additional part-time assistance is needed, these applications are reviewed to determine who is still available on a continuous basis; if anyone is willing to work and is available during the summer months, they may contact Ross Shifflett, Director of Facilities.

Chairman, Eddie Dean questioned whether Mr. Beasley was asking to work on an hourly, part-time or salaried rate, to which William L. Crigler advised he wasn't sure but believes he is only looking to assist with small cleaning projects (i.e. windowsills, removal of weeds [at Courthouse], and cleaning of sidewalks).

Lisa Robertson, County Administrator, suggested the Board review the areas that will be involved in correlation to the chart that was provided a few months back that denoted all the properties the County maintains (i.e. Courthouse, War Memorial

Building, Administration Center, Beasley Park, etc); she also advised that general maintenance of the sidewalks in the Town isn't the responsibility of the County, but the Town of Madison, to which Chairman, Eddie Dean added also includes each property owner.

Lisa Robertson, County Administrator, stated there is one part-time individual who is responsible for maintaining all County property located in the Town of Madison, to which William L. Crigler asked if the maintenance only involved mowing.

Lisa Robertson, County Administrator, advised that additional staff is needed at this time of the year for mowing and weed-eating, which also makes it difficult to get painting done; also noted was the fact there was quite a bit of rain during the spring season which also prohibited any painting of County facilities.

Lisa Robertson, County Administrator, advised if the Board deems there is an issue with the quality of the work being performed (with concern to the present staff), she will need to address that issue; however, it's an issue of there not being enough employees to get the job done, the County could look into hiring additional part-time staff; however, she has been trying to discourage this effort (only on an emergency basis) in order to reserve funding.

Discussions were held about the roof at the Thrift Road Complex, Administration Center, and the overgrowth of weeds; suggestions were verbalized as to whether painting jobs can be contracted out, should the Board so desire.

Lisa Robertson, County Administrator, stated she will speak with Ross Shifflett, Director of Facilities and devise some type of schedule to try to incorporate the completion of additional duties.

Chairman, Eddie Dean also stated the County will need to explore placing lighting at the flagpoles; some offices are flying flags for the entire twenty-four hour period and the County isn't following the guidelines for flying flags after sundown (no lighting).

Lisa Robertson, County Administrator, stated that installing lighting would not be very costly, if this is what the Board desires; however, she wasn't aware that flags were being flown at some County offices twenty-four hours a day.

In closing, Lisa Robertson, County Administrator, stated the maintenance staff does spend a lot of time assisting with other projects during the spring/summer months (i.e. @ the County Fair, painting Main Street for the annual Parade) - they also tended to last minute grounds-keeping tasks before today's Parade, which has been the County's contribution for quite some time; however, the completion of tasks are basically planned out for the remainder of the year. Furthermore, in the event the County decides to contract out for maintenance services, a pricing quote (for services rendered, which can also include painting and roofing detail) will need to be attained from any interested parties. She also stated the County Departments try very hard to get all assigned duties performed in a timely manner rather than employ additional individuals.

William L. Crigler stressed concerns about the maintenance of County facilities, as this practice has also been requested of the Madison County School System for quite some time.

Chairman, Eddie Dean stated the report from Facilities & Maintenance denotes changes made to the bathrooms (i.e. toilets) at the Courthouse and feels this will be a definite cost savings in the long run.

In closing, Chairman, Eddie Dean stated it might be best for the County to wait until an evaluation of County facilities is implemented, as the evaluation might provide valuable information and assist with a final determination as to what options are available.

Lisa Robertson, County Administrator, also stated the Board will need to determine whether to continue forward with the possibility of renovating and adding onto the Administration Building.

Chairman, Eddie Dean stated once the Courthouse Project has been completed, an assessment can be made of the availability of funds and finalization of future details can then be addressed

Lisa Robertson, County Administrator, stated it might be an asset for the County and School System to have a professional architectural firm implement a joint Capital Improvement Plan at least once annually which will, in turn, provide an assessment as to what projects should be incorporated into a fiscal year and good budget estimates within a four to five year period. Additionally, she feels a professional CIP will

also provide a total dollar amount for required work as well as costs associated with phasing of work – this will be a definite asset in helping the County figure long-range funding projections.

In closing, Lisa Robertson, County Administrator, feels the above idea will be more beneficial in the long-run rather than to have a regular staff member ascertain and provide cost estimates, and will also benefit the Madison County School System. Lastly, she would like to meet with Dr. Brenda Tanner, Superintendent, to see if the County and School System can agree to have a firm jointly provide this information.

Chairman, Eddie Dean stated he believed the County included this information in a previous proposal; however, Lisa Robertson, County Administrator, stated the information was verbalized during an earlier joint meeting – she also stressed the need to proceed to the next level and attain real numbers for the proposed renovations that have been discussed previously.

William L. Crigler asked if the architectural firm will be requested to provide figures up front.

Lisa Robertson, County Administrator, stated she would like to meet with Dr. Brenda Tanner, Superintendent, to see if she will ‘buy’ into the concept first and then introduce the concept to the Madison County School Board; further, without making a commitment, she would like to ask the Madison County Board of Supervisors and Madison County School Board members to authorize a joint procurement to attain some prices – if the pricing isn’t acceptable, then the idea can be terminated.

Chairman, Eddie Dean stressed the fact that the County will more than likely have to fund the procedure which should allow the County to have a little more influence in the proceedings.

Lisa Robertson, County Administrator, also suggested the County attain someone who experience working specifically with school systems and the projects associated with this type of entity. .

Chairman, Eddie Dean stated the Board will also need to decide what to do with the current building that is housing the Clerk of the Court (old ABC building), Game Warden and Emergency Management Services; once the Courthouse is completed the facility will be vacant and he feels this building should be the future location of the

County Administrator, Board of Supervisors and the Finance Department, as this will be a better location and easier for citizens to find and access; the other Departments located there (Game Warden, Emergency Management Services) could be relocated to the Thrift Road Complex instead.

William L. Crigler asked whether other court services (currently located in the War Memorial Building) will be relocated to the Courthouse after renovations, to which it was thought the records for court services will be housed in the new Courthouse after renovations.

Chairman, Eddie Dean stated the Madison County Board of Supervisors will need to go into Closed Session to discuss concerns regarding Personnel Matters; although the Board will come back into session afterwards, there will be no 7:30 p.m. evening session in order to allow Board members and staff to attend the annual Parade.

IN RE: CLOSED SESSION

On motion of William L. Crigler, seconded by James L. Arrington, the Board voted to go into Closed Session pursuant to Section 2.2-3711 (A) (1), Personnel Matters Pertaining to the Consideration of Personnel Appointment to the Social Services Board, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Absent

On motion of William L. Crigler, seconded by James L. Arrington, the Board voted to go back into open session with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Absent

On motion of William L. Crigler, seconded by James L. Arrington, the Board took roll call to certify that nothing was discussed which was not authorized by the Code of Virginia and that the following Resolution is adopted with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Absent

MOTION: William L. Crigler

RESOLUTION NO: 2009-4

SECOND: James L. Arrington

MEETING DATE: July 14, 2009

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Madison County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by the Madison County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Madison County Board of Supervisors.

VOTE

AYES: Eddie Dean, James L. Arrington, William L. Crigler

ABSTAIN: None

NAYS: None

(For each nay vote, the substance of the departure from the requirements of the act should be described)

ABSENT DURING VOTE: Bob Miller, Clark Powers

ABSENT DURING MEETING: Bob Miller, Clark Powers

Clerk/Secretary of the Madison County Board of Supervisors

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Absent

As a result of closed session, on motion of James L. Arrington, seconded by William L. Crigler, the Board nominated Mrs. Doris Turner to fill the unexpired term on the Madison County Social Services Board, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Absent

With no further action being required by the Board, Chairman, Eddie Dean adjourned the meeting.

Date: July 15, 2009